

A Brief Overview of West Virginia State Procurement



West Virginia Department of Administration

Purchasing Division

2019 Washington Street, East
Charleston, WV 25305-0130

Telephone: (304) 558-2306

In-State Toll-Free: 800-BIDS2WV (800-243-7298)

Fax: (304) 558-4115

WVPurchasing.gov

Overview of Procurement for West Virginia State Agencies

The Purchasing Division is responsible for the timely, responsive and efficient procurement of commodities and services for state government. This booklet presents the primary functions of the Purchasing Division as it relates to this mission.

According to *West Virginia Code* §5A-3-1 *et seq.*, “the Purchasing Division was created for the purpose of establishing centralized offices to provide purchasing and travel services to the various state agencies.”

The Purchasing Division functions in adherence to this statute and the *Code of State Rules* (148 CSR 1). This Legislative Rule serves as an explanation and clarification of operative procedures for the purchase of commodities and services. It applies to all spending units of state government, except those statutorily exempted which are noted further in this booklet.

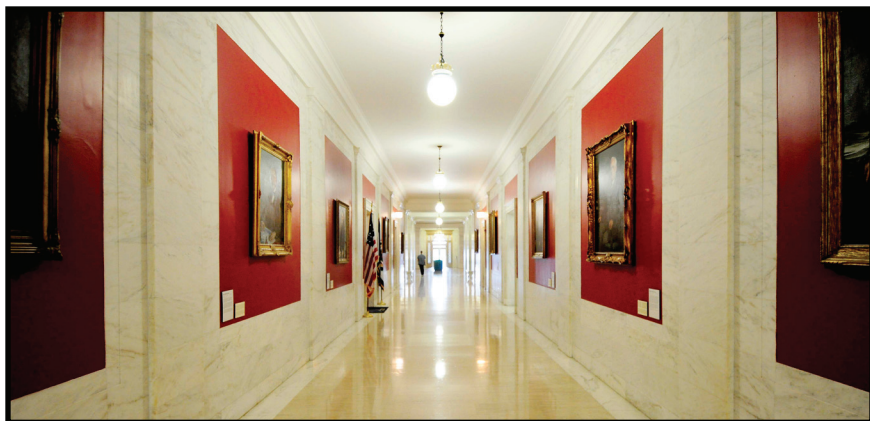
Organization

The Purchasing Division is organizationally structured under the West Virginia Department of Administration. The Purchasing Division offers many services to state agencies and the vendor community. There are three sections of the Purchasing Division in addition to the Director's Office.

The **Acquisition and Contract Administration Section** processes all purchases expected to exceed \$25,000 under its authority. Additionally, it oversees contract management and purchasing inspections.

The **Communication and Technical Services Section** oversees all technical applications, communications, professional development and training and various administrative functions.

The **Program Services Section** is responsible for the State and Federal Surplus Property Programs; Travel Management; and Inventory Management.



Purchasing Decision Path

The following steps provide an overview in the procurement process:

Step One: Determination of Need

Step Two: Availability through Internal Resources

- Correctional Industries
- State Use Program (Sheltered Workshops)
- Surplus Property Program

Step Three: Availability through Statewide or Agency Contract

Step Four: Sole Source and Emergency Purchases

Step Five: Agency Delegated Purchasing Procedures (\$25,000 or Less)

Step Six: Formal Acquisitions (over \$25,000)

Step Seven: Evaluation and Award

Step Eight: Purchase Order Encumbrance

Step Nine: Protest Procedures

Step Ten: Contract Management

Step Eleven: Inspection

For more details, visit the **Purchasing Division Procedures Handbook** website listed on back.

Public Records

All records in the Purchasing Division related to purchase orders and contracts are considered public record. The only exemptions to disclosure of information are listed in *West Virginia Code* §29B-1-4. All bids, proposals or offers submitted by vendors shall become public information and are available for inspection during normal business hours. All public information may be released with or without a Freedom of Information request.

Spending Limits

State agencies are delegated the authority to purchase commodities and services expected to cost \$25,000 or less. There are three spending limits under agency delegated authority with varying criteria which outlines the requirements.

- \$0 - \$2,500.00: No competition required, but encouraged
- \$2,500.01 - \$5,000.00: Three verbal bids required
- \$5,000.01 - \$25,000.00: Three written bids required

For purchases more than \$25,000, agencies must follow the formal bid process through the Purchasing Division.



Exemptions

State law exempts certain state agencies, in part or in whole, from the Purchasing Division's authority. The following entities are exempt from the state purchasing process:

- Legislative Branch
- Judicial Branch
- Higher Education
- Division of Highways – Road Construction projects
- More than 30 other full or partial exemptions. For a complete list, visit www.state.wv.us/admin/purchase/PurchasingExemptions.

Section 9 (Exempt Purchases) of the **Purchasing Division Procedures Handbook** details other commodities and services exempt from the state purchasing process. This list is pre-approved by the Purchasing Division, but does not supersede the state Attorney General's office nor vendor registration requirements.



Designated Agency Procurement Contacts

Communication between agencies and the Purchasing Division is vital. To maintain this line of communication, each agency head is required to appoint a liaison to the Purchasing Division.

This requirement is noted in ***Code of State Rules*** (148 CSR 3.2) which states that “All purchases must be approved by the secretary or head of the spending unit, or a designee, whose name shall be filed with the Purchasing Director. The person(s) named should take available purchasing training and have responsibility for the function of purchasing. Each spending unit shall process all purchases through this person(s), who shall be responsible for correspondence and communication with the Purchasing Division.”



Mandatory Contracts

Statewide contracts have been established for purchases of frequently used commodities and services. State agencies statutorily required to follow the Purchasing Division guidelines must use these mandatory contracts. For a list of these contracts, visit www.state.wv.us/admin/purchase/contracts.

Other contracts exist which contain provisions allowing agencies and political subdivisions to “piggyback” on other contracts. Certain requirements must be approved prior to piggybacking existing public contracts.



Training

The Purchasing Division provides numerous training opportunities to agency purchasers. These training initiatives include the Purchasing Division's Agency Purchasing Conference; On-line Resource Modules; In-House Training Program (located on the Capitol campus); and Webinars. The Purchasing Division also offers a State Procurement Certification Program. The Purchasing Division's training website can found at www.state.wv.us/admin/purchase/training.

Violations

The laws that govern the public purchasing process are strict and demand the highest degree of discretion and ethical behavior. The ***West Virginia Code*** addresses penalties for violating purchasing procedures which may include personal liability that results in jail time and/or fines.

Helpful Resources

Below is a list of online resources available with more information about the procurement process:

Purchasing Division Procedures Handbook

www.state.wv.us/admin/purchase/Handbook

Definitions, Abbreviations, and Acronyms

Section 2

www.state.wv.us/admin/purchase/handbook

Agency Process Checklists

Appendix O

www.state.wv.us/admin/purchase/handbook

Statewide Contracts

www.state.wv.us/admin/purchase/contracts

Purchasing Division Directory

www.state.wv.us/admin/purchase/directory

Emergency Purchasing Procedures

www.state.wv.us/admin/purchase/

EmergencyProcsI

Vendor Resource Center

www.state.wv.us/admin/purchase/vrc

Agency Resource Center

www.state.wv.us/admin/purchase/arc

Purchasing Division Training Center

www.state.wv.us/admin/purchase/training

Vendor Registration

www.state.wv.us/admin/purchase/VendorReg

WV OASIS

WVOASIS.gov